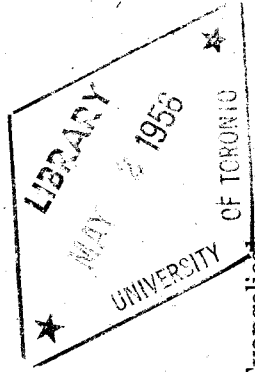


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Third Session, Twenty-Second Parliament, 4-5 Elizabeth II, 1956.

THE SENATE OF CANADA

BILL F7.



An Act to incorporate The Fellowship of Evangelical  
Baptist Churches in Canada.

AS PASSED BY THE SENATE, 25th APRIL, 1956.

EDMOND CLOUTIER, C.M.G., O.A., D.S.P.  
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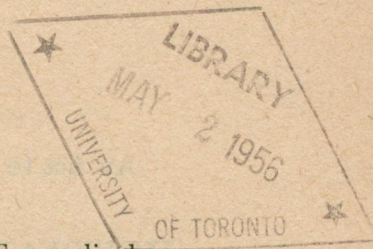
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OTTAWA, 1956



## THE SENATE OF CANADA

### BILL F<sup>7</sup>.

An Act to incorporate The Fellowship of Evangelical Baptist Churches in Canada.

Preamble.

WHEREAS in October 1953 The Union of Regular Baptist Churches of Ontario and Quebec and The Fellowship of Independent Baptist Churches of Canada, both unincorporated religious bodies, amalgamated under the name of The Fellowship of Evangelical Baptist Churches in Canada, hereinafter called "the unincorporated Fellowship"; 5

And whereas the persons hereinafter named, being members of the Executive Council or the Board of Trustees of the unincorporated Fellowship, have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows: 10

Incorporation.

1. The Reverend Wilfred Norman Charlton, The Reverend John Edward Boehmer and Miles William Cook, civil servant, all of the city of Toronto, in the province of Ontario, Sidney Leonard White, executive, and Lawrence Melvin Child, executive, both of the city of Brantford, in the said province, The Reverend John Russell Armstrong, of the township of Toronto, in the said province, and The Reverend Emmett Sidney Kerr, of the city of Montreal, in the province of Quebec, together with such other persons as may from time to time become members of the religious body hereby incorporated, are hereby incorporated under the name of The Fellowship of Evangelical Baptist Churches in Canada, hereinafter called "the Fellowship". 20 25

Provisional directors.

2. The persons named in section 1 of this Act, together with the other members of the Executive Council of the unincorporated Fellowship shall be the first or provisional directors of the Fellowship.



Head  
office.

**3.** (1) The head office of the Fellowship shall be in the city of Toronto, in the province of Ontario, or at such other place in Canada as may be decided by the Fellowship.

Notice  
of change.

(2) Notice in writing shall be given to the Secretary of State by the Fellowship of any change of the head office and such notice shall be published forthwith in the *Canada Gazette*. 5

Objects.

**4.** The objects of the Fellowship shall be

- (a) to acquire all rights, properties and liabilities of the unincorporated Fellowship; 10
- (b) to promote, maintain, superintend and carry on in accordance with the faith, doctrines, constitution, acts and rulings of the Fellowship any or all of the work of that body;
- (c) to advance and increase the diffusion of the faith of the Fellowship in all lawful ways; 15
- (d) to organize, maintain and carry on churches, missions, Bible conferences, seminaries, schools, colleges, hospitals, dispensaries, orphanages and homes for the aged;
- (e) to promote the erection and purchase of houses of worship and parsonages; 20
- (f) to administer the property, business and other temporal affairs of the Fellowship;
- (g) to establish, support and maintain a publishing house for the purpose of printing and disseminating Gospel literature for the support of the doctrines and faith of the Fellowship; 25
- (h) to promote the spiritual welfare of all the congregations, mission fields and enterprises of the Fellowship.

Power to  
make  
by-laws.

**5.** The Fellowship may from time to time make by-laws, not contrary to law, for 30

- (a) the administration, management and control of property, business and other temporal affairs of the Fellowship;
- (b) the appointment, functions, duties and remuneration of all officers, agents and servants of the Fellowship; 35
- (c) the appointment or deposition of an executive council or any special committees or boards from time to time created for the purposes of the Fellowship, and defining the powers of such executive council, committees or boards; 40
- (d) the calling of regular or special meetings of the executive council of the Fellowship or of the board of directors;
- (e) fixing the necessary quorum and the procedure to be followed at all meetings referred to in the preceding paragraph; 45



- (f) determining the qualifications of members of the Fellowship;
- (g) defining and applying the principles, doctrines and religious standards of the Fellowship;
- (h) generally carrying out the objects and purposes of the Fellowship. 5

Management. **6.** Subject to and in accordance with the by-laws enacted by the Fellowship under section 5, an executive council consisting of such persons as the Fellowship may from time to time elect or appoint thereto shall manage all the temporal 10 affairs of the Fellowship.

Incidental powers. **7.** The Fellowship may do all such lawful acts and things as are incidental or as may be conducive to the attainment of its objects.

Committees. **8.** The Fellowship may exercise all its powers by and 15 through an executive council or through such boards or committees as may from time to time be elected or appointed by the Fellowship for the management of its affairs.

Power to acquire and hold property. **9.** (1) The Fellowship may purchase, take, have, hold, receive, possess, retain and enjoy property, real or personal, 20 corporeal or incorporeal, and any or every estate or interest whatsoever given, granted, devised or bequeathed to it, or appropriated, purchased or acquired by it in any manner or way whatsoever, to, for or in favour of the uses and purposes of the Fellowship, or to, for or in favour of any religious, 25 educational, eleemosynary or other institution established or intended to be established by, under the management of, or in connection with the uses or purposes of the Fellowship.

(2) The Fellowship may also hold such real property or estate therein as is bona fide mortgaged to it by way of 30 security, or conveyed to it in satisfaction of debts or judgments recovered.

Investment in and disposal of property. **10.** Subject always to the terms of any trust relating thereto, the Fellowship may also sell, convey, exchange, alienate, mortgage, lease or demise any real property held 35 by the Fellowship, whether by way of investment for the uses and purposes of the Fellowship or not; and may also from time to time, invest all or any of its funds, or moneys, and all or any funds or moneys vested in or acquired by it for the uses and purposes aforesaid, in and upon any security 40 by way of mortgage, hypothec or charge upon real property; and for the purpose of such investment may take, receive



and accept mortgages or assignments thereof, whether made and executed directly to the Fellowship or to any corporation, body, company or person in trust for it; and may sell, grant, assign and transfer such mortgages or assignments either wholly or partly.

5

Obligation  
to dispose  
of lands.

**11.** (1) No parcel of land or interest therein at any time acquired by the Fellowship and not required for its actual use or occupation, and not held by way of security, shall be held by the Fellowship, or by any trustee on its behalf, for a longer period than ten years after the acquisition thereof 10 but shall, at or before the expiration of such period, be absolutely sold or disposed of, so that the Fellowship shall no longer retain any interest or estate therein except by way of security.

Extension  
of time.

(2) The Secretary of State may extend the time for the 15 sale or disposal of any such parcel of land, or any estate or interest therein, for a further period or periods not to exceed five years.

Application  
of mortmain  
laws.

**12.** In regard to any real property, which by reason of its situation or otherwise, is subject to the legislative 20 authority of the Parliament of Canada, a licence in mortmain shall not be necessary for the exercise of the powers granted by this Act; but otherwise the exercise of the said powers shall in any province of Canada be subject to the laws of such province as to the acquisition and holding 25 of lands by religious corporations, in so far as such laws apply to the Fellowship.

Transfer of  
property  
held in  
trust.

**13.** In so far as authorization by the Parliament of Canada is necessary, any person or corporation, in whose name any property, real or personal, is held, in trust or 30 otherwise, for the uses and purposes of the Fellowship, or any such person or corporation to whom any such property devolves, may, subject always to the terms and conditions of any trust relating to such property, transfer such property or any part thereof to the Fellowship. 35

Execution of  
documents.

**14.** Any deed or other instrument relating to real estate vested in the Fellowship or to any interest in such real estate shall, if executed within the jurisdiction of the Parliament of Canada, be deemed to be duly executed if there is affixed thereto the seal of the Fellowship and there 40 is thereon the signature of any officer of the Fellowship duly authorized for such purpose, or of his lawful attorney.



Disposition  
of property  
by gift or  
loan.

**15.** The Fellowship may make a gift or lend any of its property, whether real or personal, for or to assist in the erection or maintenance of any building or buildings deemed necessary for any church, manse, seminary, college, school or hospital or for any other religious, charitable, educational, congregational or social purpose upon such terms and conditions as it may deem expedient. 5

Borrowing  
powers.

**16.** (1) The Fellowship may, from time to time, for the purposes of the Fellowship

- (a) borrow money upon the credit of the Fellowship; 10
- (b) limit or increase the amount to be borrowed;
- (c) make, draw, accept, endorse or become party to promissory notes and bills of exchange and every such note or bill made, drawn, accepted or endorsed by the party thereto, authorized by the by-laws of the Fellowship, and countersigned by the proper party thereto, authorized by the by-laws of the Fellowship, shall be binding upon the Fellowship and shall be presumed to have been made, drawn, accepted or endorsed with proper authority until the contrary is shown, and it shall not be necessary in any case to have the seal of the Fellowship affixed to any such note or bill; 20
- (d) mortgage, hypothecate or pledge any property of the Fellowship, real or personal, to secure the repayment of any money borrowed for the purposes of the Fellowship; 25
- (e) issue bonds, debentures or other securities of the Fellowship;
- (f) pledge or sell such bonds, debentures or other securities for such sums and at such prices as may be deemed expedient. 30

Limitation.

(2) Nothing in the preceding subsection shall be construed to authorize the Fellowship to issue any note or bill payable to bearer thereof, or any promissory note intended to be circulated as money, or as the note or bill of a bank, or to engage in the business of banking or insurance. 35

Investment  
of funds.

**17.** The Fellowship may invest and reinvest any of its funds

- (a) in any bonds or debentures of any municipality or public school corporation or district in Canada, or in securities of or guaranteed by the Government of Canada or of any province thereof; 40
- (b) in first mortgages on freehold property in Canada and for the purposes of the same may take mortgages or assignments thereof whether such mortgages or assignments be made directly to the Fellowship in its own corporate name or to some company or person in trust for it, and may sell and assign the same; 45



(c) in any securities in which life insurance companies are authorized from time to time by the Parliament of Canada to invest funds subject to the limitation on investments in stocks, bonds and debentures set out in the *Canadian and British Insurance Companies Act*. 5

R.S., c. 31.

Scope.

**18.** The Fellowship may exercise its functions throughout Canada, and meetings of the board of directors of the Fellowship may be held at any place within Canada.